

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ADVANCED ACCESS CONTENT SYSTEM  
LICENSING ADMINISTRATOR, LLC,

Plaintiff,

v.

LANNY SHEN d/b/a DVDFAB AND  
FENGTAO SOFTWARE INC., SUNREG  
TECHNOLOGIES LTD. d/b/a DVDFAB AND  
FENGTAO SOFTWARE INC., FENG TAO  
d/b/a DVDFAB AND FENGTAO SOFTWARE  
INC., SHEN XINLAN d/b/a AUDIO-DVD  
CREATOR, and JOHN DOE, JANE DOE and/or  
XYZ COMPANY d/b/a DVDFAB, RIPPERBLU-  
RAY.COM, DVDFABB.COM and  
DVDFAB.COM,

Defendants.

Civil Action No.  
14 Civ. 1112 (VSB)

**DECLARATION OF FENG TAO  
IN OPPOSITION TO MOTION  
TO MODIFY INJUNCTION**

I, FENG TAO, declare as follows:

1. I am the proprietor of Fengtao Software (“FTS”). I submit this declaration in opposition to Advanced Access Content System Licensing Administrator, LLC’s (“AACS”) motion to modify the Order for Preliminary Injunction dated March 4, 2014 (“Injunction”). I am familiar with the facts and circumstances stated below.

**Background on Blu-Ray**

2. Blu-ray is an abbreviation for the Blu-ray disc data storage format. Like DVDs, Blu-ray discs are plastic discs that can store information. Blu-ray discs offer much larger storage capacity than DVDs and are commonly used for demanding storage needs such as high definition (“HD”) video. AACS does not own or control use of the Blu-ray disc format. Information about Blu-ray is attached as Exhibit 1.

3. Not all Blu-ray discs are protected by AACS technology. Users can purchase blank Blu-ray discs, save their own high definition videos or other large files to these discs, and are entitled to copy and convert such content to other formats. There are many articles on the Internet that teach users how to create their own Blu-ray discs. Examples are included as Exhibit 2. Additionally, Blu-ray burners are widely available for purchase. *See Exhibit 3.*

**The Additional Accused Products, Websites and Domain Names**

4. AACS has asked the court to expand the injunction to include programs and websites that are not owned or controlled by FTS, do not circumvent AACS technology, or should be permitted for other reasons.

5. **BLUFAB:** None of the BluFab software programs available on BluFab.com circumvent AACS technology. There is nothing on the BluFab.com site that says the programs circumvent AACS. The fact that the BluFab programs do not circumvent AACS is well-known on the Internet. *See Exhibit 4.*

[<http://www.myce.com/news/dvdfab-removes-dvd-and-blu-ray-ripper-from-blufab-70914/>].

6. For example, BluFab DVD Copy and BluFab CVD Converter do not work with Blu-ray and cannot circumvent AACS. BluFab Blu-ray Converter and BluFab Blu-ray Copy do work with Blu-ray, however, they do not circumvent AACS. BluFab Blu-ray Converter and BluFab Blu-ray Copy allow users to copy and convert Blu-ray discs that are not protected by AACS, such as HD home movies.

7. **WOOOKAO.** The Woookao program is a third party program that FTS did not create, does not own or control, and does not sell or distribute. At one time somebody took a copy of Passkey Lite, renamed the file Woookao and uploaded it to the Internet. The file properties referenced Passkey Lite and had an FTS Copyright Notice because this was FTS' program that had been renamed. That program was removed and

replaced with a different program called Woookao. FTS does not offer Passkey Lite using the name Woookao, and the program available on the Woookao site is not Passkey Lite.

8. FTS does not own or control the website located at woookao.com (which redirects visitors to woookao.cn), or the website located at woookao.cn. FTS does not own or control the domain names woookao.com or woookao.cn.

9. **BOOoya.COM.** The addinsetup.exe program available at booya.com is a third party program that FTS did not create, does not own or control, and does not sell or distribute. FTS does not own or control the website located at booya.com or the domain name booya.com.

10. **BOOoya.ORG.** The addon.exe program available at Boooya.org is not intended for United States users. FTS has removed the English language page from boooya.org. *See Exhibit 5.* FTS is in the process of implementing IP address blocking for US computers that access boooya.org, and expect it to be completed within the next few days. The program was created in China, is sold from China and is intended for users outside of the United States.

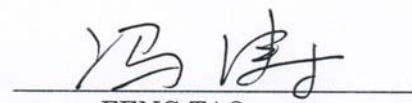
11. The similarities between the Boooya.com and Boooya.org websites and the similarities between the Boooya websites and the Woookao websites are unrelated to circumvention of AACS. Even if two websites appear to be similar, that similarity in no way indicates that the programs available on the websites are the same.

12. **TDMORE.** The TDMore programs available at TDMore.com were not created or marketed primarily for AACS circumvention. AACS is not mentioned on the TDMore.com home page or the Blu-ray product pages. Instead, the programs were created to provide users with a wide variety of features for disc copying and conversion. For example, the TDMore DVD Copy program and the TDMore DVD Converter program do not work on Bu-ray discs, and consequently cannot circumvent AACS technology.

13. The TDMore Blu-ray Copy and TDMore Blu-ray Converter programs provide numerous features unrelated to AACS circumvention. As mentioned above, not all Blu-ray discs are protected by AACS technology. These programs can be used to copy and convert non-AACS content, such as user generated movies stored on Blu-ray discs.

14. To avoid future issues, FTS is removing AACS circumvention from the TDMore programs.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on October 30, 2014 (United States time) / October 31, 2014 (China time).



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FENG TAO